

**Calendar No. 266**

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 140**

**[Report No. 112–104]**

To designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. LEVIN (for himself and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JANUARY 13, 2012

Reported under authority of the order of the Senate of December 17, 2011,  
by Mr. BINGAMAN, without amendment

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**A BILL**

To designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Sleeping Bear Dunes  
3 National Lakeshore Conservation and Recreation Act”.

4 **SEC. 2. DEFINITIONS.**

5       In this Act:

6           (1) MAP.—The term “map” means the map  
7       consisting of 6 sheets entitled “Sleeping Bear Dunes  
8       National Lakeshore Proposed Wilderness Bound-  
9       ary”, numbered 634/80,083B, and dated November  
10      2010.

11          (2) SECRETARY.—The term “Secretary” means  
12      the Secretary of the Interior.

13 **SEC. 3. SLEEPING BEAR DUNES WILDERNESS.**

14      (a) DESIGNATION.—In accordance with the Wilder-  
15      ness Act (16 U.S.C. 1131 et seq.), certain land and inland  
16      water within the Sleeping Bear Dunes National Lakeshore  
17      comprising approximately 32,557 acres along the main-  
18      land shore of Lake Michigan and on certain nearby islands  
19      in Benzie and Leelanau Counties, Michigan, as generally  
20      depicted on the map, is designated as wilderness and as  
21      a component of the National Wilderness Preservation Sys-  
22      tem, to be known as the “Sleeping Bear Dunes Wilder-  
23      ness”.

24      (b) MAP.—

1           (1) AVAILABILITY.—The map shall be on file  
2           and available for public inspection in appropriate of-  
3           fices of the National Park Service.

4           (2) CORRECTIONS.—The Secretary may correct  
5           any clerical or typographical errors in the map.

6           (3) LEGAL DESCRIPTION.—As soon as prac-  
7           ticable after the date of enactment of this Act, the  
8           Secretary shall prepare a legal description of the wil-  
9           derness boundary and submit a copy of the map and  
10          legal description to the Committee on Energy and  
11          Natural Resources of the Senate and the Committee  
12          on Natural Resources of the House of Representa-  
13          tives.

14          (c) ROAD SETBACKS.—The wilderness boundary shall  
15          be—

16               (1) 100 feet from the centerline of adjacent  
17               county roads; and

18               (2) 300 feet from the centerline of adjacent  
19               State highways.

20      **SEC. 4. ADMINISTRATION.**

21          (a) IN GENERAL.—Subject to valid existing rights,  
22          the wilderness area designated by section 3(a) shall be ad-  
23          ministered by the Secretary in accordance with the Wilder-  
24          ness Act (16 U.S.C. 1131 et seq.), except that—

1           (1) any reference in the Wilderness Act to the  
 2           effective date of that Act shall be considered to be  
 3           a reference to the date of enactment of this Act; and

4           (2) any reference in the Wilderness Act to the  
 5           Secretary of Agriculture shall be considered to be a  
 6           reference to the Secretary.

7           (b) MAINTENANCE OF ROADS OUTSIDE WILDERNESS  
 8   BOUNDARY.—Nothing in this Act prevents the mainte-  
 9   nance and improvement of roads that are located outside  
 10   the boundary of the wilderness area designated by section  
 11   3(a).

12          (c) FISH AND WILDLIFE.—Nothing in this Act af-  
 13   fects the jurisdiction of the State of Michigan with respect  
 14   to the management of fish and wildlife, including hunting  
 15   and fishing within the national lakeshore in accordance  
 16   with section 5 of Public Law 91–479 (16 U.S.C. 460x–  
 17   4).

18          (d) SAVINGS PROVISIONS.—Nothing in this Act  
 19   modifies, alters, or affects—

20           (1) any treaty rights; or

21           (2) any valid private property rights in exist-  
 22   ence on the day before the date of enactment of this  
 23   Act.



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